

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM E. WASHINGTON : CIVIL ACTION  
vs. :  
SUPERINTENDENT JAMES GRACE, : NO. 04-CV-4812  
et al. :

ORDER

AND NOW, this 23rd day of August, 2005, after consideration of the Report and Recommendation of Carole Sandra Moore Wells, United States Magistrate Judge and the objections of Petitioner, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for writ of habeas corpus is DENIED, without a hearing, as Petitioner has not shown that any reasonable jurist could find it debatable that this petition is procedurally barred or that Petitioner has shown a denial of a constitutional right; and;
3. There is no probable cause for appeal.

BY THE COURT:

s/J. Curtis Joyner  
J. CURTIS JOYNER, J.